

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CARLOS A. ESCOBAR,

Petitioner,

vs.

ANTHONY SCILLIA, et al.,

Respondents.

Case No. 2:10-cv-01973-KJD-NJK

**ORDER**

Petitioner has submitted a motion for enlargement of time to file response to court order (first request) (#35). The court had found that petitioner had not exhausted his state-court remedies for grounds 2, 3, 4, 5, 6, and 10 of the amended petition (#11). Order (#32). Counsel for petitioner states that she has been unable to ascertain petitioner's wishes about what to do with the unexhausted grounds. The court will grant petitioner's request. Counsel for petitioner might find petitioner's proper-person motion for stay and abeyance (#33) to be of assistance.

Respondents have filed a motion to strike (#34) that proper-person motion. The court agrees with respondents that petitioner may not file proper-person motions while he is represented by counsel. Further briefing on the matter is not necessary, because the court is giving petitioner time to file a correct response to the court's order.

IT IS THEREFORE ORDERED that respondents' motion to strike (#34) is **GRANTED**. The proper-person is **STRICKEN** from the record.

1 IT IS FURTHER ORDERED that petitioner's motion for enlargement of time to file  
2 response to court order (first request) (#35) is **GRANTED**. Petitioner shall have through April 22,  
3 2013, to file and serve a response to the court's order (#32).

4 DATED: March 22, 2013.

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7 KENT J. DAWSON  
United States District Judge  
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